IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No.7624 of 2004

Shri Shankar Narsaiah Samala ..Petitioner

vs.

1. Administrative Officer
Municipal Education Board
Bhiwandi, and ors. ..Respondents

Shri M.S.Lagu for petitioner
Shri R.M.Agrawal with Shri G.R.Agrawal for respondent no.1.
Shri R.D.Rane, Addl.G.P. for respondent nos. 2 and 3.

CORAM: A.P.SHAH AND
S.C.DHARMADHIKARI JJ
23rd NOVEMBER, 2004

P.C.

1. Heard Advocates.

2. Shri Agrawal, learned Counsel appearing for respondent no.1 and Shri Rane, Addl.G.P. appearing for respondent nos. 2 and 3 fairly conceded that the impugned directions were issued without affording to the petitioner an opportunity of hearing. It is obvious that there was violation of the principles of natural justice. It appears that respondent no.1 has suspended the payment of trained teacher to the petitioner solely on the basis of the directions given by the Deputy Director. At no stage the petitioner was heard by

any of these authorities. We, therefore, set aside the impugned order of recovery. We direct the Deputy Director to grant personal hearing to the petitioner and thereafter pass appropriate orders in accordance with law.

3. All contentions on merits are left open to the parties.

4. Petition is disposed of.